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DATE : JANUARY 10, 2002
TO : EXAMINER W. SANDALS, PH.D.
FAX : (703) 308-4242
FROM : PATRICK J. HAGAN, ESQ.
SUBJECT : U.S. PATENT APPLICATION No. 09/446,681
INVENTOR: JOHN ANTHONY CHARLES ARCHER ET AL.
"BIOSENSOR MATERIALS AND METHODS"

OFFICIAL

OPERATOR : JANICE M. NIGHTLINGER

TOTAL NUMBER OF PAGES INCLUDING THIS COVER SHEET: 8

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RESPONSE TO RESTRICTION REQUIREMENT AND
AMENDMENT UNDER 37 C.F.R. §1.111

THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12C
Zeta

Inventors : John Anthony Charles Archer et al. 1-11-02
Serial No. : 09/446,681
Filing Date : December 23, 1999
Examiner : W. Sandals, Ph.D.
Group Art Unit : 1636
Title : BIOSENSOR MATERIALS AND METHODS

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Janice M. Nightlinger
Janice M. Nightlinger

Petition for Extension Under 37 CFR §1.136(a)

The undersigned hereby petitions for an extension of time of THREE months beyond the time period set in the last office communication. Please charge our Deposit Account No. 04-1406 in the amount of \$920.00 for the filing fee. A duplicate copy of this sheet is also being transmitted for such charging.

January 10, 2002
Date

Patrick J. Hagan
Patrick J. Hagan

Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT
AND AMENDMENT UNDER 37 C.F.R. §1.111

Dear Sir:

In response to the requirement for restriction under
35 U.S.C. §§121 and 372, set forth in the Official Action dated

September 13, 2001, in the above-identified patent application, applicants hereby elect, without traverse, the "Group VI" invention, namely, claims 26-30, 32-37 and 48, which are directed to isolated nucleic acid comprising a bacterial DNA which encodes mycolic acid protein Regulator, REG, vectors comprising such nucleic acid and methods of transforming host cells using such vectors.

Further in response to the aforementioned restriction requirement, applicants hereby request entry of the following claim amendments.

Please amend claims 30, 32, 33, 35 and 37, as follows:

C1 SUBFI) 30. (Amended) A nucleic acid as claimed in claim 54 further comprising a heterologous signal gene operably linked to the inducible promoter.

C2 SUBFI) 32. (Amended) A vector comprising the nucleic acid of claim 30.

SUBFI) 33. (Amended) A vector as claimed in claim 32 comprising at least one of the following: luxAB signal genes; sacB gene; antibiotic resistance; RP4/RK2 mobilizing elements.

C3 SUBFI) 35. (Amended) A method of transforming a host cell comprising use of a vector as claimed in claim 32.

C4 37. (Amended) A method as claimed in claim 35 wherein the host cell is a mycolic acid bacterium of the same strain from which at least one of the inducible promoter and operon